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John J. Kelly, Jr.

Reg. No.: 29,182

Examiner : Mark L. Shevin  
Art Unit : 1793  
Docket No. : 52433/797  
Conf. No. : 7148

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : T. ISHIKAWA et al.  
Serial No. : 10/535,346  
Filed : October 3, 2005  
For : METHOD OF PRODUCTION OF STEEL PRODUCT WITH  
NANOCRYSTALLIZED SURFACE LAYER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL  
PURSUANT TO 37 C.F.R. §41.31(a)**

SIR:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated April 17, 2008 of the Primary Examiner finally rejecting claims 1 to 6 in the above-identified patent application.

- ☒ Please charge the fee of Five Hundred Forty Dollars (\$540.00) for filing a Notice of Appeal to Deposit Account 11-0600. A duplicate of this paper is enclosed.
- ☒ Please charge any additional required fee or deficiency of fee associated with this appeal to Deposit Account 11-0600. A duplicate of this paper is enclosed.
- ☒ A petition for a three (3) month extension of time and deposit account authorization to cover the extension fee accompanies this Notice of Appeal.

Respectfully submitted,  
KENYON & KENYON LLP

Date: October 16, 2008  
KENYON & KENYON LLP  
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New York, N.Y. 10004  
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